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Counterclaim-Plaintiff
CHIPMOS TECHNOLOGIES, INC

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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN JOSE DIVISION

13 Freescale Semiconductor, Inc.,
14 Plaintiff,
15 v.
16 ChipMOS Technologies, Inc.,
17 Defendant.

Case No. C-09-03689-JF-RS

**STIPULATION TO PERMIT
FREESCALE SEMICONDUCTOR,
INC. TO FILE UNDER SEAL
DOCUMENTS SUPPORTING REPLY
IN SUPPORT OF RENEWED
MOTION FOR SUMMARY
JUDGMENT**

18 Date: N/A
19 Time: N/A
Courtroom: 3, 5th Floor
20 Judge: Hon. Jeremy Fogel

1 Pursuant to Local Rules 7-11(a) and 79-5(c), Plaintiff Freescale Semiconductor, Inc.
2 (“Freescale”) and Defendant ChipMOS Technologies, Inc. (“ChipMOS,” and together with
3 Freescale, the “Parties”) jointly submit this Stipulation to Permit Freescale Semiconductor, Inc. to
4 File under Seal Documents Supporting Reply in Support of Renewed Motion for Summary
5 Judgment.

6 WHEREAS, Freescale filed its Reply in Support of Renewed Motion for Summary
7 Judgment (“Reply”), along with the Declaration of Greg L. Lippetz (“Lippetz Declaration” or
8 “Lippetz Decl.”) and supporting exhibits, on July 8, 2011;

9 WHEREAS, Freescale has filed an Administrative Motion to File under Seal Documents
10 Supporting Reply in Support of Renewed Motion for Summary Judgment;

11 WHEREAS the requested relief is necessary and narrowly tailored to protect the
12 confidentiality of the materials put at issue by Freescale’s Reply until such time as the Court
13 makes a final ruling as to confidentiality of the relevant subject matter. Specifically, Exhibits 1
14 and 2 to the Lippetz Declaration, along with portions of Freescale’s Reply, contain information
15 designated by Freescale as “Confidential” or “Highly Confidential – Attorneys’ Eyes Only.”

16 NOW, THEREFORE, IT IS HEREBY STIPULATED by the Parties, through their
17 respective counsel of record, that Freescale be permitted to move for permission to file under seal
18 Exhibits 1 and 2 to the Lippetz Declaration, as well as portions of Freescale’s Reply. While the
19 Parties agree that portions of Freescale’s Reply may be publicly filed, the Parties also agree that
20 the filing shall not be construed as a waiver of any confidentiality designation or other protection
21 with respect to documents, transcripts, or other information referred to in, or that serve as the
22 basis for, the allegations or arguments made in it.

23 **IT IS SO STIPULATED.**
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1 Dated: July 8, 2011

JONES DAY

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3 By: /s/ Greg L. Lippetz
4 Greg L. Lippetz

5 Counsel for Plaintiff
FREESCALE SEMICONDUCTOR, INC.

6 In accordance with General Order No. 45, Section X(B), the above signatory attests that
7 Concurrence in the filing of this document has been obtained from the signatory below.

8 Dated: July 8, 2011

COOLEY LLP

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10 By: /s/ Ronald S. Lemieux
11 Ronald S. Lemieux

12 Counsel for Defendant
CHIPMOS TECHNOLOGIES, INC.

13 **IT IS SO ORDERED.**

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16 DATED: 8/12/11

17 By: 
18 Hon. Jeremy Fogel